



United States District Court

Northern District of Texas
Dallas Division

Notice of Orders or Judgments
Fed. R. Civ. P. 77(d)

ATTENTION: Docket sheets are now available on the Internet on the Northern District of Texas web site at www.txnd.uscourts.gov

Date: 01/23/01

To: John P Pinkerton
1601 Bryan St
30th Floor
Dallas, TX 75201

Re: Case Number: 3:99-cv-01154

Instrument Number: 56

If this facsimile cannot be delivered as addressed, please call (214) 753-2174.
If this transmission is incomplete, our system will attempt to re-send it up to six times. If the FAX fails, it will be mailed the next business day.

Number of pages including cover sheet: 6

ORIGINAL

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**PRINTING RESEARCH, INC.
HOWARD W. DEMOORE and
RONALD M. RENDLEMAN,**

Plaintiffs,

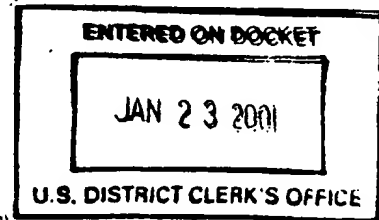
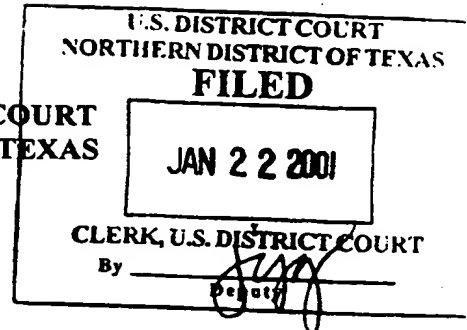
v.

**WILLIAMSON PRINTING
CORPORATION, BILL L. DAVIS and
JESSE S. WILLIAMSON,**

Defendants.

§
§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 3-99CV1154-M



FINAL JUDGMENT ON CONSENT

On this date, came the parties in this action and announced, prior to trial and after having taken substantial discovery on the issues and claims in this action, that they had reached a settlement agreeing to entry of this Final Judgment on Consent, and the Court being of the opinion that this judgment should be entered as agreed to by the parties, it is hereby

ORDERED, ADJUDGED and DECREED as follows:

1. Plaintiff Printing Research, Inc. ("PRI") is a corporation of the State of Texas, having its principal place of business in Dallas, Texas.
2. Plaintiff Howard W. DeMoore ("DeMoore") is an individual who resides in Dallas, Texas.
3. Plaintiff Ronald M. Rendleman ("Rendleman") is an individual who resides in this judicial district.
4. Defendant Williamson Printing Corporation ("WPC") is a corporation of the State of Texas, having its principal place of business in Dallas, Texas.
5. Defendant Bill L. Davis ("Davis") is an individual who resides in Irving, Texas.

09345796-030001
T09250 9645560

6. Defendant Jesse S. Williamson ("Williamson") is an individual who resides in Dallas, Texas.

7. For the purpose of this action, this Court has personal jurisdiction of PRI, DeMoore, Rendleman, WPC, Davis and Williamson.

8. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1338 and 1367.

9. WPC is the owner of United States Patent No. 5,630,363 ("the '363 patent"). On May 20, 1999, WPC filed application serial number 09/315,796 in the United States Patent and Trademark Office ("PTO") to reissue the '363 patent ("the Reissue Application"), which is presently pending in the PTO.

10. The uncontroverted evidence in the record shows that, in June of 1992, Davis and Williamson conceived the invention described and claimed in the '363 patent.

11. The evidence in the record further shows that, on June 12, 1994, Davis and Williamson disclosed the invention of the '363 patent to Steve Baker ("Baker"), a salesman of PRI, telling him that they wanted to apply inks or coatings using the flexographic process upstream of or prior to printing with lithography in a continuous in-line process on an offset lithographic press and that they wanted to use a retractable, interstation printer/coater having an anilox roller and chambered doctor to perform the flexographic process, and that on June 15, 1994, Baker told John W. Bird ("Bird"), product manager of PRI, the information that Davis and Williamson had disclosed to Baker on June 12, 1994.

12. WPC entered into an agreement with PRI to provide to WPC a retractable, interstation flexographic printer/coater with an anilox roller and a chambered doctor.

13. Pursuant to DeMoore's request on July 7, 1994, Rendleman, who was employed by PRI, prepared drawings of the ferris wheel, retractable flexographic printer/coater shown in Figure 2 of the '363 patent. The ferris wheel, retractable flexographic printer/coaters

manufactured and delivered to WPC by PRI were paid for by WPC pursuant to the agreement between WPC and PRI.

14. On May 4, 1995, DeMoore, Rendleman and Bird filed U. S. patent application serial number 08/435,798 ("the '798 application"). The overlapping process disclosure common to the '798 application and the '363 patent and the Reissue Application originated from Davis and Williamson. The subject matter of unprosecuted method claims 24-35 of the '798 application, and narrower claims thereof, do not conflict with the '363 patent and the Reissue Application. Davis, Williamson and WPC do not claim inventorship of the claimed subject matter of claims 1-23 of the '798 application pending (allowed or on appeal) as of December 1, 2000, and the unprosecuted claims 24-35 of the '798 application, and any claims of U.S. Patents No. 5,598,777, No. 5,631,316, No. 5,960,713, and No. 6,116,158.

15. Plaintiffs no longer contend that they, individually, collectively or in any combination, is or are a sole or joint inventor of any claim of the '363 patent as issued or any of claims 1-87 of the Reissue Application pending as of December 1, 2000.

16. With respect to all claims of the '363 patent as issued and claims 1-87 of the Reissue Application pending as of December 1, 2000, priority rests in the inventive entity of Davis and Williamson and not in any entity consisting of one or more of DeMoore, Rendleman and Bird.

17. There was no fraud or inequitable conduct in the prosecution of the application that resulted in issuance of the '363 patent.

18. Based on the evidence in the record in this action, the information presently known to the parties, and the prior art and other information of record in the Reissue Application, all claims of the '363 patent as issued, and claims 1-87 of the Reissue Application, are valid, including being valid under the provisions of 35 U.S.C. §§ 102 (a), (b), (c), (e), (f) and (g) and 103.

19. Apart from the specific findings set forth herein, all claims and counterclaims of the parties in this action are hereby dismissed with prejudice.

20. The parties waive all right to appeal from this judgment.

21. Each party shall pay its own attorney's fees and costs.

22. This Court shall retain jurisdiction to enforce this judgment and the settlement agreement entered into by the parties with respect to this action.

SO ORDERED on this 22 day of January, 2001


BARBARA M.G. LYNN
UNITED STATES DISTRICT JUDGE

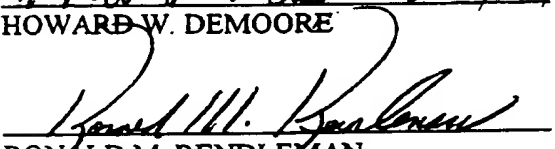
APPROVED AND AGREED TO
AS TO FORM AND CONTENT:

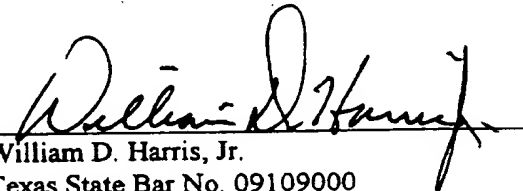
PRINTING RESEARCH, INC.

By: 

Dan L. Boyles
Its: President

 1/16/01
HOWARD W. DEMORE


RONALD M. RENDLEMAN


William D. Harris, Jr.

Texas State Bar No. 09109000

L. Dan Tucker

Texas State Bar No. 20276500

Stephen D. Wilson

Texas State Bar No. 24003187

LOCKE LIDDELL & SAPP LLP

2200 Ross Avenue, Suite 2200

Dallas, Texas 75201-6776

214.740.8000 (telephone)

214.740.8800 (facsimile)

ATTORNEYS FOR PLAINTIFFS

LS-X
Martin J. Sweeney

Texas State Bar No. 19570550

COZEN AND O'CONNOR

1717 Main Street

2300 Bank One Centre

Dallas, Texas 75201

214.462.3024 (telephone)

214.462.3299 (facsimile)

WILLIAMSON PRINTING CORPORATION

By: Jesse S. Williamson

Jesse S. Williamson

Its: President

John P. Pinkerton

John P. Pinkerton

Texas State Bar No. 1601670

David P. Poole

Texas State Bar No. 16123750

Robert J. Ward

Texas State Bar No. 00791879

WORSHAM FORSYTHE

WOOLDRIDGE LLP

1601 Bryan, 30th Floor

Dallas, Texas 75201

214.979.3065 (telephone)

214.880.0011 (facsimile)

ATTORNEYS FOR DEFENDANTS

OF COUNSEL:

Robert Hardy Falk

Robert Hardy Falk

Texas State Bar No. 067956300

FALK & FISH, L.L.P.

P.O. Box 794748

Dallas, Texas 75397

Telephone: (214) 954-4480

Facsimile: (214) 969-5941